

## UNITED STATES DISTRICT COURT

for the  
District of Oregon

United States of America

v.

RYAN NEAL MONTGOMERY

*Defendant*

Case No. 3:20-mj-00270

Charging District's Case No. 20-06007-01/03-CO-SJ-HFS

**WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)**I understand that I have been charged in another district, the *(name of other court)* Western District of Missouri

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: Nov 6 2020/s/ Ryan Montgomery*Defendant's signature*/s/Francesca Freccero*Signature of defendant's attorney*see above*Printed name of defendant's attorney*

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**COMMITMENT TO ANOTHER DISTRICT**

The defendant has been ordered to appear in the Western District of Missouri,  
(if applicable) St. Joseph division. The defendant may need an interpreter for this language:

The defendant: ☐ will retain an attorney.  
☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

**IT IS ORDERED:** The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date:

Nov. 6, 2020

  
Judge's signature

The Honorable Stacie F. Beckerman, U.S. Magistrate Judge

*Printed name and title*

CUSTODY, NRESTRAINT, STAYED,

**U.S. District Court  
District of Oregon (Portland (3))  
CRIMINAL DOCKET FOR CASE #: 3:20-mj-00270 All Defendants**

Case title: USA v. Montgomery

Date Filed: 11/06/2020

Other court case number: 5:20-cr-06007-HFS-3 Western  
District of Missouri

Date Terminated: 11/09/2020

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Assigned to: Unassigned

**Defendant (1)**

**Ryan Neal Montgomery**  
USM #82210-065  
*TERMINATED: 11/09/2020*

represented by **Francesca Freccero**  
Federal Public Defenders  
101 SW Main  
Suite 1700  
Portland, OR 97204  
503-326-2123  
Fax: 503-326-5524  
Email: [francesca\\_freccero@fd.org](mailto:francesca_freccero@fd.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or Community*  
*Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level**  
**(Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

18:2251(d) and (e) – Conspiracy  
to Advertise Child Pornography;  
18:2252A(a)(2) and (b)(1)  
–Conspiracy to Distribute and

**Disposition**

Receive Child Pornography

**Plaintiff****USA**

represented by **Natalie K. Wight**  
 United States Attorney's Office  
 1000 SW Third Avenue  
 Suite 600  
 Portland, OR 97204  
 503-727-1114  
 Fax: 503-727-1117  
 Email: [natalie.wight@usdoj.gov](mailto:natalie.wight@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

Email All Attorneys

Date Filed	#	Page	Docket Text
11/06/2020	<u>1</u>		<b>(DOCUMENT FILED UNDER SEAL)</b> Documents Received From Other Court as to Ryan Neal Montgomery from Western District of Missouri Case No: 20-06007-03-cr-SJ-HFS (jn) (Entered: 11/06/2020)
11/06/2020	2		<b>Minutes of Proceedings:</b> Initial Appearance pursuant to Rule 5(c)(3) for Arrest in Our District Offense in Another held before Magistrate Judge Stacie F. Beckerman as to Ryan Neal Montgomery (USM #82210-065) on 11/6/2020. Defendant waives right to appear in person and consents to appear by video from the Marshals Service lockup. <b>ORDER</b> Appointing Counsel for Ryan Neal Montgomery: Francesca Freccero for proceedings in the District of Oregon. Defendant advised of rights and waived reading of the charges. Defendant waived identity hearing. (Formal waiver to follow.) <b>ORDER:</b> Defendant is detained. <b>ORDER:</b> Status Conference is set for <b>Friday, 11/13/2020, at 01:30 PM</b> in Portland by videoconference before the duty magistrate judge, to discuss whether the Western District of Missouri will allow Defendant to make his appearance in that district (on 11/20/2020 at 9:30 AM) by videoconference/teleconference from Oregon (in custody), or whether Defendant is to be transported in custody to the Western District of Missouri. Defendant is committed to the Western District of Missouri, St. Joseph Division. (Formal commitment order to follow). <b>ORDER STAYING</b> commitment order until at least the 11/13/2020 Status Conference. Other Court Information: <u>USA v. Ryan Neal Montgomery</u> , case No. 20-06007-03-CR-SJ-HFS, U.S. District Court for the Western District of Missouri. Counsel Present for the Government: Natalie K. Wight (by video). Counsel Present for Defendant: Francesca Freccero (by video). Restraint Order: NR. (Court Reporter Ryan White) (gw) (Entered: 11/06/2020)
11/06/2020	<u>3</u>		Waiver of Preliminary Examination or Hearing pursuant to Rule 5(c)(3) by Ryan Neal Montgomery (schm) (Entered: 11/09/2020)
11/09/2020	<u>4</u>		Commitment to Another District as to Ryan Neal Montgomery. Defendant committed to WESTERN DISTRICT OF MISSOURI, ST. JOSEPH DIVISION. Original and two certified copies forwarded to U.S. Marshal on 11/9/2020.

			NOTE: ORDER STAYING commitment order until at least the 11/13/2020 Status Conference. (schm) (Entered: 11/09/2020)
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MIME-Version:1.0  
 From:info@ord.uscourts.gov  
 To:nobody  
 Bcc:  
 --Case Participants: Natalie K. Wight (bonnie.fritzler@usdoj.gov, caseview.ecf@usdoj.gov, jan.sands@usdoj.gov, natalie.wight@usdoj.gov), Francesca Freccero (francesca\_freccero@fd.org, kristen\_brooks@fd.org, orx\_docketing@fd.org)  
 --Non Case Participants: U.S. Marshal Service (pdx.operations@usdoj.gov), U.S. Pretrial Services (cmecf@orpt.uscourts.gov)  
 --No Notice Sent:  
  
 Message-Id:7207426@ord.uscourts.gov  
 Subject:Activity in Case 3:20-mj-00270 USA v. Montgomery Initial Appearance - Out of District Warrant  
 Content-Type: text/html

**U.S. District Court**

**District of Oregon**

**Notice of Electronic Filing**

The following transaction was entered on 11/6/2020 at 4:30 PM PST and filed on 11/6/2020

**Case Name:** USA v. Montgomery

**Case Number:** 3:20-mj-00270

**Filer:**

**Document Number:** 2(No document attached)

**Docket Text:**

**Minutes of Proceedings: Initial Appearance pursuant to Rule 5(c)(3) for Arrest in Our District Offense in Another held before Magistrate Judge Stacie F. Beckerman as to Ryan Neal Montgomery (USM #82210-065) on 11/6/2020. Defendant waives right to appear in person and consents to appear by video from the Marshals Service lockup. ORDER Appointing Counsel for Ryan Neal Montgomery: Francesca Freccero for proceedings in the District of Oregon. Defendant advised of rights and waived reading of the charges. Defendant waived identity hearing. (Formal waiver to follow.) ORDER: Defendant is detained. ORDER: Status Conference is set for Friday, 11/13/2020, at 01:30 PM in Portland by videoconference before the duty magistrate judge, to discuss whether the Western District of Missouri will allow Defendant to make his appearance in that district (on 11/20/2020 at 9:30 AM) by videoconference/teleconference from Oregon (in custody), or whether Defendant is to be transported in custody to the Western District of Missouri. Defendant is committed to the Western District of Missouri, St. Joseph Division. (Formal commitment order to follow). ORDER STAYING commitment order until at least the 11/13/2020 Status Conference. Other Court Information: USA v. Ryan Neal Montgomery, case No. 20-06007-03-CR-SJ-HFS, U.S. District Court for the Western District of Missouri. Counsel Present for the Government: Natalie K. Wight (by video). Counsel Present for Defendant: Francesca Freccero (by video). Restraint Order: NR. (Court Reporter Ryan White) (gw)**

**3:20-mj-00270-1 Notice has been electronically mailed to:**

Francesca Freccero &nbsp; &nbsp; francesca\_freccero@fd.org, kristen\_brooks@fd.org, orx\_docketing@fd.org

Natalie K. Wight &nbsp; &nbsp; natalie.wight@usdoj.gov, bonnie.fritzler@usdoj.gov,  
CaseView.ECF@usdoj.gov, jan.sands@usdoj.gov

**3:20-mj-00270-1 Notice will not be electronically mailed to:**

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*Defendant*

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Nov. 6, 2020

  
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The Honorable Stacie F. Beckerman, U.S. Magistrate Judge  
Printed name and title

**Francesca Freccero, OSB #96287**  
**Office of the Federal Public Defender**  
**101 S.W. Main Street, Suite 1700**  
**Portland, Oregon 97204**  
**(503) 326-2123 Telephone**  
**(503) 326-5524 Facsimile**  
**francesca\_freccero@fd.org**

**Attorney for Defendant**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**No. 3:20-mj-00270**

**Plaintiff,**

**DEFENDANT'S WAIVER OF  
APPEARANCE AT STATUS  
HEARING**

**v.**

**RYAN NEAL MONTGOMERY,**

**Defendant**

Defendant Ryan Montgomery, through counsel in this District,  
Francesca Freccero, hereby waives his personal appearance at the status  
hearing currently scheduled in this matter for November 23, 2020. He moves  
this Court for an Order directing the U.S. Marshal not to transport him for  
any status hearing on that date.

Mr. Montgomery may be able to attend a videoteleconference hearing  
from WD Missouri while here in local custody. The instant waiver is not

related to that hearing, only to the status hearing currently set for 1:30 pm on November 23, 2020.

AUSA Natalie Wight has no objection.

Respectfully submitted on November 17, 2020.

/s/ *Francesca Freccero*

Francesca Freccero

Attorney for Defendant